

the Senator from New Jersey (Mr. LAUTENBERG) were added as cosponsors of amendment No. 2253 proposed to S.Con.Res. 86, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal years 1999, 2000, 2001, 2002, and 2003 and revising the concurrent resolution on the budget for fiscal year 1998.

AMENDMENT NO. 2258

At the request of Mr. FRIST the name of the Senator from Illinois (Ms. MOSELEY-BRAUN) was added as a cosponsor of amendment No. 2258 proposed to S.Con.Res. 86, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal years 1999, 2000, 2001, 2002, and 2003 and revising the concurrent resolution on the budget for fiscal year 1998.

AMENDMENT NO. 2263

At the request of Mr. SANTORUM the names of the Senator from California (Mrs. BOXER), the Senator from Ohio (Mr. DEWINE), the Senator from New Jersey (Mr. TORRICELLI), and the Senator from Vermont (Mr. JEFFORDS) were added as cosponsors of amendment No. 2263 proposed to S.Con.Res. 86, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal years 1999, 2000, 2001, 2002, and 2003 and revising the concurrent resolution on the budget for fiscal year 1998.

At the request of Mr. LEAHY his name was added as a cosponsor of amendment No. 2263 proposed to S.Con.Res. 86, supra.

AMENDMENT NO. 2265

At the request of Mr. COCHRAN his name was added as a cosponsor of amendment No. 2265 proposed to S.Con.Res. 86, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal years 1999, 2000, 2001, 2002, and 2003 and revising the concurrent resolution on the budget for fiscal year 1998.

At the request of Mrs. MURRAY her name was added as a cosponsor of amendment No. 2265 proposed to S.Con.Res. 86, supra.

At the request of Mrs. FEINSTEIN her name was added as a cosponsor of amendment No. 2265 proposed to S.Con.Res. 86, supra.

At the request of Mr. KEMPTHORNE the names of the Senator from Vermont (Mr. JEFFORDS), the Senator from Oregon (Mr. WYDEN), the Senator from Missouri (Mr. BOND), the Senator from South Dakota (Mr. JOHNSON), the Senator from Illinois (Mr. DURBIN), the Senator from Illinois (Ms. MOSELEY-BRAUN), the Senator from Louisiana (Ms. LANDRIEU), the Senator from Florida (Mr. GRAHAM), the Senator from Oregon (Mr. SMITH), the Senator from North Dakota (Mr. CONRAD), the Senator from Idaho (Mr. CRAIG), the Senator from California (Mrs. BOXER), the Senator from North Dakota (Mr. DORGAN), and the Senator from Iowa (Mr.

GRASSLEY) were added as cosponsors of amendment No. 2265 proposed to S.Con.Res. 86, supra.

At the request of Mr. FRIST his name was added as a cosponsor of amendment No. 2265 proposed to S.Con.Res. 86, supra.

AMENDMENT NO. 2266

At the request of Mr. GRAMM the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of amendment No. 2266 proposed to S.Con.Res. 86, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal years 1999, 2000, 2001, 2002, and 2003 and revising the concurrent resolution on the budget for fiscal year 1998.

At the request of Mr. BYRD his name was added as a cosponsor of amendment No. 2266 proposed to S.Con.Res. 86, supra.

AMENDMENT NO. 2268

At the request of Mr. COVERDELL the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of amendment No. 2268 proposed to S.Con.Res. 86, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal years 1999, 2000, 2001, 2002, and 2003 and revising the concurrent resolution on the budget for fiscal year 1998.

SENATE CONCURRENT RESOLUTION 88—CALLING ON JAPAN TO ESTABLISH AND MAINTAIN AN OPEN, COMPETITIVE MARKET FOR CONSUMER PHOTOGRAPHIC FILM AND PAPER

Mr. D'AMATO (for himself, Mr. MOYNIHAN, Mr. ASHCROFT, and Mr. BINGAMAN) submitted the following concurrent resolution; which was referred to the Committee on Finance:

S. Con. Res. 88

Whereas the current financial crisis in Asia underscores the fact that the health of the international economic system depends on open, competitive markets;

Whereas structural reform in Japan is critical to the resolution of the Asian financial crisis;

Whereas for many years the United States Trade Representative has reported to Congress in the National Trade Estimate on numerous barriers to entering and operating in the Japanese market;

Whereas Japan's restrictive policies deny opportunities to United States companies and their workers seeking access to Japanese markets;

Whereas the United States Trade Representative has engaged over the last several years in an intensive review of the Japanese distribution system;

Whereas on June 16, 1996, the United States Trade Representative found that the Government of Japan created and tolerated a market structure that impedes United States exports of consumer photographic film and paper;

Whereas the European Union has sought to remove these same barriers to distribution that restrain European exports to Japan;

Whereas it is important that United States companies and workers not be disadvantaged

by other countries following Japan's model of protecting its market through a closed distribution system and other market access barriers;

Whereas a recent panel of the World Trade Organization failed to address the closed distribution system and market access barriers in Japan;

Whereas the Government of Japan has consistently stated that it is committed to deregulation, transparency, nondiscrimination, and open distribution systems accompanied by vigorous enforcement of competition laws;

Whereas the Government of Japan stated in recent proceedings of the World Trade Organization on consumer photographic film that it is committed to promote distribution policies that make the Japanese market more open to imports and to actively discourage restrictive business practices; and

Whereas fulfilling these public statements would benefit both United States trade and Japanese consumers, significantly raising the standard of living in Japan: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the Congress—

(1) calls upon the Government of Japan to live up to the standards it has set for open competitive markets;

(2) calls upon the Government of Japan to fully implement the representations that it made to a dispute settlement panel of the World Trade Organization regarding deregulation, transparency, nondiscrimination, open distribution systems, and vigorous enforcement of competition laws with respect to consumer photographic film and paper as well as other sectors, such as autos and auto parts, glass, and telecommunications, that face similar market access barriers in Japan;

(3) urges the President, the United States Trade Representative, and other appropriate officers of the executive branch to exercise fully existing authority to achieve these objectives; and

(4) requests the President to report to Congress, not later than July 15, 1998, and not less frequently than every six months thereafter, regarding progress in eliminating market restrictions in Japan for consumer photographic film and paper.

Mr. D'AMATO. Mr. President, the current financial crisis in Asia underscores the need for open, competitive markets, free from manipulation. Clearly, industrial policy does not work. Managed trade and managed commerce is a failure. It simply does not work. Mr. President, we have said it all along—when you manipulate trade and erect barriers to open and free trade, the consumer gets hurt.

Mr. President, today we are submitting a resolution which is aimed at forcing Japan to put their money where their mouth is. This Resolution makes it clear that Japan must fulfill its publicly stated commitments to open its markets for photographic film and paper, and other sectors facing market access barriers. The bureaucrats in Japan should be on notice that the U.S. Congress will not tolerate their intervention into the free market. The United States maintains free and open markets in every sector of the economy. Americans should expect nothing less of any of our trading partners.

Plain and simple, Mr. President, the Japanese Government has allowed Fuji to use Japan's lax anti-trust laws and

closed-market system to erect barriers to free and open competition. The Japanese government, however, maintains that this is not true and that their markets are open and free. This Resolution will simply encourage the Japanese government to demonstrate their openness.

The Government of Japan has said publicly that they did not build, support, and tolerate a market structure that thwarts foreign competition, and in which exclusionary business practices are commonplace. This Resolution simply allows the Japanese government to demonstrate their resolve to open, free and fair trade.

Mr. MOYNIHAN. Mr. President, I wish to associate myself fully with the remarks of my distinguished colleague from New York. Kodak has compiled volumes of evidence, based on more than 100 years of experience in the Japanese market, that clearly document the thicket of laws and regulations that have the intent—and the effect—of curbing sales of foreign photographic film and paper. Through an elaborate system of restrictions on sales and distribution, Japan has succeeded in severely limiting market access for foreign film and paper.

Nearly three years ago, on May 18, 1995, Kodak filed a petition with the U.S. Trade Representative under section 301 of the Trade Act of 1974, urging action on the broad range of trade barriers. After a formal investigation, Ambassador Barshefsky found that Japan's practices were indeed in violation of our trade laws, and dispute settlement proceedings in the World Trade Organization were begun. The verdict from the WTO, issued in its final form on January 30, 1998, was a great disappointment. But certainly not the end of the argument, nor the end of Kodak's attempts to penetrate the Japanese market.

The resolution that I am pleased to cosponsor today emphatically endorses the initiative that Ambassador Barshefsky and Secretary Daley unveiled on February 3, 1998, which will put the Government of Japan to the test. During the course of the WTO proceedings, as my colleagues are aware, the Japanese Government asserted that its market was fully open to foreign film and paper. And so our government has proposed that we monitor that proposition, by collecting data and examining, every six months, the progress that Kodak—and other foreign suppliers—have made in competing in the Japanese film and paper market.

This initiative is worthy of our support, Mr. President, and I urge my colleagues to join in supporting this resolution.

Mr. ASHCROFT. Mr. President, The World Trade Organization (WTO) decision this year against the United States' photographic film and paper industry sounded an alarm for U.S. companies participating in the global arena. Rubber stamping Japanese-style protectionism, the WTO left American

companies at a troubling disadvantage in Japan and other Asian countries that replicate the "successful" Japanese model. It is troubling that many ailing Asian economies, after being bailed out by U.S. tax dollars, are still pursuing protectionist trade practices against the very taxpayers that paid their bill.

In the film case, the WTO found that the Japanese market is open to the Eastman Kodak Co., despite the fact that Japan admits that its system of trade barriers was designed as a "defensive measure for the substantial advances of Eastman Kodak after import liberalization" under the General Agreement on Tariffs and Trade (GATT). This decision flies in the face of the U.S. film industry.

Equally intolerable is the fact that this Japanese-style protectionism is being used to block an array of critical U.S. exports. Even though Japan has the second largest flat glass market in the world, it has systematically excluded foreign imports through an exclusive distribution system in violation of its 1995 Flat Glass Agreement with the United States. The U.S. also has a "market opening" agreement with Japan on automobiles, but the Administration reported just recently that Japan has failed to keep the agreement's "key objectives" and has reversed progress made last year under the accord.

I am deeply alarmed at the danger that the WTO's misconceived ruling in this case will have. Japan now has a license from the WTO to shelter its domestic film and paper producers from competition. Under the WTO ruling, our Asian trading partners will be encouraged to follow in Japan's protectionist footsteps by taking two steps back for every one step forward in trade liberalization. For instance, China recently announced reductions in overall tariff levels from 23 to 17 percent, but China has been implementing an automobile industrial policy much like Japan's to undercut the gains achieved from tariff reductions.

It is time to stand up and say, "No more." No more will we ignore mercantilist trade policies that block U.S. products and destroy American jobs. No more will we allow foreign companies to use their illegitimate gains from their closed market to subsidize exports to our open market. No more will we accept a playing field for our products that is not level. No more, Mr. President.

As the world's second largest economy, Japan must guarantee the same free and open access to its market as Japanese companies enjoy in the U.S. market. Without that guarantee, U.S. businesses are put at an immediate competitive disadvantage when entering the international arena.

Therefore, Senators D'AMATO, MOYNIHAN, BINGAMAN, and I rise today to submit a Sense of the Senate that the U.S. should use all available tools against Japan's toleration of a system-

atic anticompetitive market that impedes U.S. exports. We need to be able to reassure American companies and the many U.S. workers they employ that we are tough on countries that break the rules of free trade.

We also request the Clinton Administration take swift and aggressive action to open Japan's market, not just for film, but also for the U.S. industries that repeatedly struggle to address the intricate web of Japanese protectionism.

The Administration must confront Japan's trade barriers forcefully, or the competitiveness of U.S. companies in that market will be continually undermined. In 1996, the U.S. Trade Representative made a finding under Section 301 that Japan's restrictions on Kodak film were a burden to U.S. commerce and an impediment to U.S. film exports. However, the USTR office stated that using Section 301 to address such trade barriers is too aggressive a policy. I strongly disagree.

When the United States makes trade agreements, the American people expect them to be honored. If trade agreements can be violated without sanction by the WTO, then our rights must be secured through the use of our own law. The only alternative is to accept a new wave of protectionism in Japan and other nations.

I supported the Senate proposal on "fast track" authority for the President, but if this Administration is unable to ensure that our trading partners live up to their promises under agreements already negotiated, I see little reason to think that Congress will give fast track authority to pursue a new round of agreements. The Administration claims to have negotiated 30 separate free trade agreements with Japan, but U.S. exporters clearly are being denied the benefits they had expected from these agreements. Congress and the American people rightfully expect the Administration to ensure a level playing field for U.S. companies. The WTO's intolerable ruling in the Kodak film case requires you and your colleagues in the Administration to take a more activist and aggressive approach to opening Japanese markets across the board, before protectionism proliferates throughout Asia.

SENATE RESOLUTION 206—RELATIVE TO THE CRAZY HORSE MEMORIAL

Mr. CAMPBELL submitted the following resolution; which was referred to the Committee on Indian Affairs:

S. RES. 206

To recognize 50 years of efforts with respect to the creation of the Crazy Horse Memorial, honoring the great Oglala Sioux leader, Tasunke Witko, popularly known as "Crazy Horse", and to express the Sense of the Senate with respect to the Crazy Horse Memorial.

Whereas Tasunke Witko, popularly known as "Crazy Horse", was one of the greatest Native American warriors and spiritual leaders of the United States;